

REMARKS

In the Office Action dated August 6, 2008, the Examiner noted that claims 1, 3-9 and 11-13 were pending in the application. Claims 1, 3, 8, 9, 11 and 12 have been amended herein. Thus, claims 1, 3-9 and 11-13 remain pending for consideration, which is respectfully requested. No new matter is believed to have been added.

Applicant appreciates confirmation that a certified copy of the priority document (see Office Action dated December 17, 2004, box 12(a)(1)) and the Information Disclosure Statement filed on June 15, 2001 (see Examiner-initialed PTO form 1449 mailed with Office Action dated December 17, 2004 and Office Action dated June 24, 2005) have been received by the Office. In addition, Applicant appreciates the confirmation that the Drawings submitted on May 23, 2001 have been accepted (see Office Action Summary dated August 6, 2008, box 10(a)).

Rejection under 35 U.S.C. §103(a)

Claims 1, 3-9 and 11-13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ching (U.S. Patent No. 6,560,620) in view of Fleischer (U.S. Patent No. 5,960,383). This rejection is respectfully traversed.

In the second paragraph on page 4, the Office Action concedes that Ching does not teach the feature of recognizing a thematic hierarchy of a document feature as previously recited by claim 1. The Office Action, however, relies on Fleischer to allegedly provide such a teaching.

Claim 1, for example, has been amended herein to further emphasize the feature of recognizing

an inclusive relationship of topics from large topics to small topics by calculating a lexical cohesion score of description parts in two adjacent windows at each location in each of the plurality of documents, based on a vocabulary appearing in the adjacent windows,

a thematic boundary based on the lexical cohesion score for a plurality of different window widths by repeating the calculating, and

a thematic hierarchy of each of the plurality of documents corresponding to the inclusive relationship of topics

(lines 3-13). Applicant submits that the cited art fails to describe such features. For example, Fleischer states at column 4, lines 44-50:

Here, ... any automatic indexing technique may be used which identifies words and phrases characteristic of the subject matter of the input document and provides "weights" to each of the noun phrases indicating their relevance to the subject matter of the document as a whole.

Thus, Fleischer describes an indexing technique that provides “weights” to noun phrases to determine relevance. Assigning weights to noun phrases, however, does not equate to recognizing inclusive relationship of topics by “calculating a lexical cohesion score of description parts in two adjacent windows... based on a vocabulary appearing in the adjacent windows” as recited in claim 1. Accordingly, Applicant submits that because Fleischer fails to disclose the method in which inclusive relationship of topics are recognized in claim 1, Fleischer also fails to disclose the feature of “**a thematic hierarchy**... corresponding to the inclusive relationship of topics” as recited in claim 1 (emphasis added). In addition, nothing has been found in Fleischer that discloses recognizing “**a thematic boundary** based on the lexical cohesion score” as also recited in claim 1 (emphasis added).

Nothing has been cited or found in Ching that cures the deficiencies of Fleischer described above. Accordingly, Applicant submits that the cited art, taken alone or in combination, fails to disclose all of the features of claim 1, including those recited on lines 3-13. Therefore, claim 1 patentably distinguishes over the cited art.

Applicant submits that the above comments will aid the Examiner in appreciating the patentable distinctions of independent claims 9, 11 and 12. The dependent claims inherit the patentable recitation of their respective base claims, and therefore, patentably distinguish over the cited art.

In view of the above, Applicant requests that the rejection be withdrawn.

Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Serial No. 09/862,437

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: /Richard A. Gollhofer/
Richard A. Gollhofer
Registration No. 31,106

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501